

REMARKS

Applicants respectfully request consideration of the subject application as amended herein.

This Amendment is submitted in response to the Office Action mailed June 9, 2006. Claims 1-5, 11, 12 and 15 stand rejected. In this Amendment, claims 1, 3, 11 and 15 have been amended. No new matter has been added.

The Examiner rejected claims 1, 2, 11 and 15 under 35 U.S.C. §102(e) as being anticipated by Friedland, (U.S. Patent No. 6,449,601, hereinafter “Friedland”). The Examiner rejected claims 3-5 and 12 under 35 U.S.C. §103(a) as being unpatentable over Friedland as analyzed in claims 1 and 2 and further in view of Fisher, et al., (U.S. Patent No. 6,243,691, hereinafter “Fisher”).

Friedland discloses a method for distributing a live auction over the Internet to remote bidders. A human proxy monitors the auction and composes status updates that are distributed to remote bidders in real time to allow the remote bidders to follow the auction.

Contrary to the presently claimed invention, Friedland does not teach or suggest displaying a bid adjustment mechanism configuration interface including a bid adjustment mechanism that allows a bidder to specify an adjustment for a bid without entering an amount of the bid, and setting the bid adjustment mechanism to a bid adjustment value specified by the bidder using the configuration interface.

Friedland does not disclose an interface for configuring a bid adjustment mechanism. The Examiner refers to an interface shown in Fig. 9 of Friedland. This interface includes “an array of buttons 906 used to establish a current bid, a bid increment, and an asking bid” (Friedland, col. 14, lines 16-18). However, this interface merely includes a bid increment button (Friedland, col. 13, lines 40-44). Even if this bid increment button is interpreted to constitute a bid adjustment mechanism, as suggested by the Examiner, Friedland does not teach or suggest setting such a bid adjustment mechanism to a bid adjustment value specified by the bidder, as required by

the present invention. Thus, Friedland does not teach or suggest the features of the present invention that are included in the following language of claim 1:

... (a) displaying a bid adjustment mechanism configuration interface including the bid adjustment mechanism that allows a bidder to specify an adjustment for a bid without entering an amount of the bid; and

(b) setting the bid adjustment mechanism to a bid adjustment value specified by the bidder using the configuration interface, such that when the bid adjustment mechanism is actuated, a bid is adjusted by the bid adjustment value set in the configuration interface.

Similar language is also included in claims 11 and 15. Thus, the present invention as claimed in claims 1, 11 and 15, and their corresponding dependent claims, is not anticipated by Friedland.

Fisher does not help Friedland to render the presently claimed invention unpatentable. Fisher discloses a mechanism for conducting a multi-person, interactive auction, without using a human auctioneer to conduct the auction. Bids placed by bidders are recorded, and the bidders are updated with the current auction status information. In Fisher, bidders have to specify the amount of the bid.

Similarly to Friedland, Fisher does not teach or suggest displaying a bid adjustment mechanism configuration interface including a bid adjustment mechanism that allows a bidder to specify an adjustment for a bid without entering an amount of the bid, and setting the bid adjustment mechanism to a bid adjustment value specified by the bidder using the configuration interface, as claimed in the present invention. Thus, both Friedland and Fisher, do not teach or suggest the present invention as claimed in claims 1, 11 and 15, and their corresponding dependent claim.

Applicant respectfully requests the withdrawal of the rejection under 35 U.S.C. §§102(e) and 103(a). Applicant furthermore submits that all pending claims are in condition for allowance, which action is earnestly solicited.

Deposit Account Authorization

Authorization is hereby given to charge our Deposit Account No. 02-2666 for any charges that may be due. Furthermore, if an extension is required, then Applicant hereby requests such extension.

If the Examiner determines the prompt allowance of these claims could be facilitated by a telephone conference, the Examiner is invited to contact Marina Portnova at (408) 720-8300.

Respectfully submitted,

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